

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

California Water Service Company (U 60-W), for Authority to Increase Rates Charged for Water Service in the Antelope Valley District by \$437,218 or 36.94% in Fiscal Year 2006-2007; by \$145,000 or 8.94% in Fiscal Year 2007-2008; and by \$145,000 or 8.21% in Fiscal Year 2008-2009.

Application 05-08-006
(Filed September 8, 2005)

And Related Matters

Application 05-08-007
Application 05-08-008
Application 05-08-009
Application 05-08-010
Application 05-08-011
Application 05-08-012
Application 05-08-013
(Filed September 8, 2005)

**ADMINISTRATIVE LAW JUDGE'S RULING
GRANTING MOTION TO INTERVENE AND
MOTION TO AMEND APPLICATIONS**

On October 5, 2005, Lucerne Community Water Organization (LCWO) filed a petition to intervene in this proceeding. LCWO is an unincorporated association consisting of customers of California Water Service Company's (CalWater) Lucerne rate area. Although LCWO is entering the proceeding later than other parties, it does not seek to modify the previously established schedule. LCWO's petition lists several topics potentially relevant to CalWater's general rate case in which it claims expertise. Lucerne rate area falls within Redwood Valley District for which CalWater has filed Application (A.) 05-08-013,

and the expertise LCWO lists in the petition pertains solely to matters affecting Lucerne rate area customers. No party has responded to LCWO's petition. LCWO will be granted party status, and its participation in the consolidated proceeding will be limited to matters and issues that have the potential to affect the ratepayers of Lucerne service area.

On September 7, 2005, CalWater filed amendments to its Kern River Valley District general rate case application (A.05-08-010) and Redwood Valley District general rate case application (A.05-08-013), in both cases adding additional items for which it seeks higher rates. On October 3, 2005, CalWater filed a motion to have its post-application additions accepted. The Commission's Rate Case Plan for Class A Water Utilities allows discretionary post-application additions to a water utility's general rate case application only under extraordinary circumstances, and requires the utility to file a written motion and obtain a favorable ruling from the Principal Hearing Officer (in this case, the assigned Administrative Law Judge) *before* the addition may be considered in the proceeding. If the motion is granted, the Principal Hearing Officer is required to provide the other parties commensurate additional time to respond and to set a revised expected effective date for rates.¹

In this case, the Commission's Office of Ratepayer Advocates (ORA) was the only other full party to the proceeding when CalWater's belated motion was filed. In its response to the motion, ORA states that it does not oppose accepting CalWater's proposed amendments to the applications. ORA also commits to reviewing CalWater's added issues within the schedule established in the

¹ Water Rate Case Plan, page 13, appendix to Decision 04-08-018.

September 26, 2005 Scoping Memorandum and Ruling of the Assigned Commissioner. There being no opposition, CalWater's motion will be granted and its amendments to the applications accepted.

IT IS RULED that:

1. Lucerne Community Water Organization's (LCWO) October 5, 2005 Petition to Intervene in Application (A.) 05-08-013 is granted. LCWO shall limit its participation in the consolidated proceeding to matters and issues that have the potential to affect the ratepayers of California Water Service Company's (CalWater) Lucerne service area.

2. CalWater's October 3, 2005 Motion for Post Application Additions Relating to the Kern River Valley District and the Redwood Valley District is granted. CalWater's September 7, 2005 amendments to A.05-08-010 and A.05-08-013 are accepted.

Dated October 21, 2005, at San Francisco, California.

/s/ JAMES C. MCVICAR

James C. McVicar
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Motion to Intervene and Motion to Amend Applications on all parties of record in this proceeding or their attorneys of record.

Dated October 21, 2005, at San Francisco, California.

/s/ TERESITA C. GALLARDO

Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to ensure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.